

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed January 25, 2005. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **I. Claim Rejections - 35 U.S.C. § 102(e)**

Claims 1-14 and 17-28 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Guerrero (U.S. Pat. No. 6,549,749). Applicant respectfully traverses this rejection.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

In the present case, not every feature of the claimed invention is represented in the Guerrero reference. Applicant discusses the Guerrero reference and Applicant's claims in the following.

Applicant's claim 1, for example, provides as follows (emphasis added):

1. An imaging device, comprising:
  - a main unit that includes a print mechanism; and
  - a ***physically separate auxiliary unit*** that is positioned below, ***couples with, and physically supports*** the main unit, the auxiliary unit including an integral document finishing mechanism.

Applicant notes that Guerrero at least does not disclose a “physically separate auxiliary device” that “couples with” and “physically supports” a main unit. Specifically, if, as is argued in the Office Action, Guerrero teaches a “main unit” (indicated as the “upper part” of printer 10A, Fig. 2) and an “auxiliary unit” (indicated as the “lower part” of printer 10A), it follows that Guerrero’s auxiliary unit is not “physically separate” from the main unit (see Fig. 2). If one were to allege that one or more of Guerrero’s modules 64 comprise an “auxiliary unit”, Applicant notes that Guerrero’s modules do not “physically support” Guerrero’s main unit. For at least the foregoing reasons, claim 1 is allowable over Guerrero, as are claims 2-14 that depend from claim 1.

Applicant notes that the other independent claims contain limitations that are not disclosed by Guerrero. Referring to independent claim 17, Guerrero at least fails to teach “a physically separate auxiliary unit that couples with and physically supports the main unit in a stacked configuration”. Regarding independent claim 21, Guerrero at least fails to teach an integral document finishing mechanism “located in a physically separate auxiliary unit that is positioned below and physically supports the media input tray”. For at least these reasons, claims 17-28 are also allowable over Guerrero.

## **II. Claim Rejections - 35 U.S.C. § 103(a)**

Claims 15 and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Guerrero in view of Kawahira (U.S. Pat. No. 6,801,750). Applicant respectfully traverses this rejection.

As has been acknowledged by the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office (“USPTO”) has the burden under section 103 to

establish a *prima facie* case of obviousness by showing some objective teaching in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. *See In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). The Manual of Patent Examining Procedure (MPEP) section 2143 discusses the requirements of a *prima facie* case for obviousness. That section provides as follows:

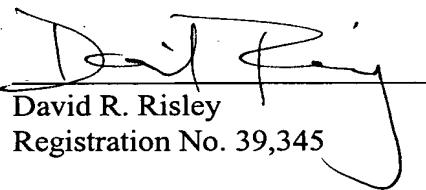
To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teaching. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and reasonable expectation of success must be found in the prior art, and not based on applicant's disclosure.

In the present case, the references do not provide a suggestion or motivation that account for the limitations in Applicant's claims. Specifically, as is identified above in relation to independent claim 1, Guerrero at least does not teach a "physically separate auxiliary device" that "couples with" and "physically supports" a main unit. In that Kawahira does not remedy this deficiency of the Guerrero reference, Applicant respectfully submits that claims 15 and 16, which depend from claim 1, are allowable over the Guerrero/Kawahira combination for at least the same reasons that claim 1 is allowable over Guerrero.

### CONCLUSION

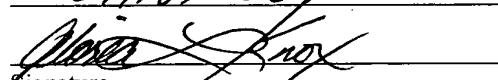
Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
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09/18/2005

  
Signature